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November 14, 2022

Via Electronic Case Filing

Honorable Vincent L. Briccetti
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: GLD3, LLC and Snook-9 Realty, Inc. v. Azem Albra, et al., No. 7:21-cv-11058
Plaintiffs' Response to Feerick Nugent MacCartney Pre-motion Letter

Dear Judge Vincent L. Briccetti :

We represent Plaintiffs in the above-referenced matter. We write in response to non-party, Feerick Nugent MacCartney PLLC's ("FNM") November 7, 2022 letter to the Court and in accordance with Your Honor's November 7, 2002 order.

Plaintiffs' subpoenas to FNM sought the production of certain documents between FNM and defendants', FNM's former clients. The subpoenas were served in large part due to fact that the defendants' prior discovery responses did not include the documents believed to be in FNM's possession. At the time FNM sent its objection letter, Plaintiffs began a meet and confer process with defendants regarding the status of a supplemental production, and what if any, documents would be produced. We were attempting to complete that meet and confer before responding to FNM, as the agreement with defendants would impact the scope of the subpoenas. The undersigned was preparing a response to FNM at the time FNM wrote to the court. Candidly, we believed we had additional time to confer with FNM before they filed its letter.

The meet and confer with defendants resulted in the submission of the joint revised discovery plan, which was adopted by the Court last week. Additionally, defendants made a supplemental document production. In light of the defendants' production, Plaintiffs have agreed to withdraw their subpoena's to FNM without prejudice. This will allow Plaintiffs time to review defendants' production and determine whether the subpoenas to FNM are necessary. Plaintiffs conferred with counsel for FNM, apologized for the delay in responding, and notified FNM that

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the subpoenas had been withdrawn. Accordingly, it is Plaintiffs' understanding that the issues raised in FNM's November 7, 2022 have been mooted by the withdrawal of the subpoenas.

We apologize for burdening the Court with this issue. We are available for a conference to the extent the Court has any questions.

Respectfully submitted

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read 'Stephen J. Riccardulli', is written over a horizontal line.

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cc: *All parties appearing by ECF*